

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GEORGE STEINMETZ,

Plaintiff,

-against-

SHUTTERSTOCK, INC.,

Defendant.

Case No. 1:21-cv-7100 (AKH)

DECLARATION OF ELEANOR M. LACKMAN

ELEANOR M. LACKMAN declares as follows:

1. I am a Partner at the law firm of Mitchell Silberberg & Knupp LLP, counsel for defendant Shutterstock, Inc. (“Shutterstock”). I submit this declaration in support of Shutterstock’s Opposition to Plaintiff George Steinmetz’s (“Plaintiff”) Motion for Summary Judgment.

2. Attached hereto as **Exhibit B** is a true and correct copy of relevant excerpts from the transcript of the deposition of Plaintiff George Steinmetz (“Plaintiff”) taken on July 26, 2022.


3. Attached hereto as **Exhibit C** is a true and correct copy of relevant excerpts from the transcript of the deposition of Shutterstock’s Rule 30(b)(6) witness, Artur Zambrowski, taken on July 14, 2022.

4. Attached hereto as **Exhibit D** is a true and correct copy of a letter I sent to counsel for Plaintiff on July 15, 2022, regarding the Subpoena to Sejal Patel Richbourg. Plaintiff’s counsel never followed up, nor did they provide any information suggesting that the deposition was to move forward. In another pending case on a similar schedule, Shutterstock offered a declaration from Ms. Richbourg. Counsel for Plaintiff (the same counsel in the other case) declined the offer.

5. Moreover, Plaintiff's counsel did not request or follow up on the "content review guidelines" that Shutterstock's Rule 30(b)(6) witness referred to, did not request those documents during the deposition (or thereafter) or ask counsel if they were being withheld on any basis, despite there being nearly two weeks before the discovery deadline.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: September 16, 2022
New York, New York



Eleanor M. Lackman